

M-75075/30/2021-ESTT-IV  
Government of India  
Ministry of Jal Shakti  
Department of Water Resources, River Development & Ganga Rejuvenation  
Central Water Commission  
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03<sup>rd</sup> Floor(S), Sewa Bhawan,  
R. K. Puram, New Delhi-110066  
Dated the, 23<sup>rd</sup> February, 2021

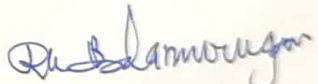
**OFFICE MEMORANDUM**

**Subject: Settlement of disputes other than taxation - AMRD - reg**

The undersigned is directed to forward herewith a copy of O.M No.50013/47/2021-E-IV Section-MOWR dated 08.02.2021 received from DoWR, RD & GR forwarding therewith a copy of self explanatory DO Letter No. 332619/338367/LS/2019 dated 01.02.2021 received from DoLA, Ministry of Law & Justice on the subject mentioned above.

2. It is requested that the details of such disputes which fall within the ambit and scope of the mechanism for being resolved through AMRD, may be furnished to **E-IV Section, CWC's e-mail estt4@nic.in**, so that the consolidated reply may be forwarded to DoWR, RD & GR.

Enclosures: **As above**

  
(R. K. Balamurugan)  
Under Secretary(E-IV)  
Tel No: 011 29583302  
E-mail: estt4@nic.in

- To
- 1.U.S./S.O/-E-I, II, III, V, VI, VII, VIII, IX, X, XI, XII, XIII, O&M, CM&V Sections, CWC
  - 2.Chief Engineers, B&OBO, Shillong/ BBO, Guwahati / C&SRO, Coimbatore /NWA, Pune / IBO, Chandigarh /KGBO, Hyderabad / LGBO, Patna / M&ERO,Bhubaneshwar / M(C)O,Nagpur / M(S)O, Bangalore / NBO, Bhopal / M&TBO,Gandhinagar / TBO, Silliguri/UGBO, Lucknow / YBO,New Delhi (by email).
  - 3.Director, RMCD, CWC (with the request to pursue the matter in respect of all the Chief Engineers of Field offices of CWC).
  - 4.Director, WP&P/D&R(C), CWC.
  - 5.Director, RD Directorate, CWC.
  - 6.Accounts Officer, A/Cs, CWC
  - 7.S.E. Planning Circle, Faridabad, CWC (by email).

Copy for kind information to:

P.P.S. to Chief Engineer (HRM), CWC

F.No.A-50013/47/2021-E-IV Section-MOWR

Government of India  
Ministry of Jal Shakti  
D/O WR, RD & GR

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Shram Shakti Bhawan, Rafi Marg,  
New Delhi, Dated: 8<sup>th</sup> February, 2021

**OFFICE MEMORANDUM**

Subject:- Settlement of disputes other than taxation between Government Ministries / Departments *inter se* and between Government Ministries/Departments and other Ministries / Departments/Organisation(s) – Administrative Mechanisam for Resolution of Disputes ( AMRD).

The undersigned is directed to forward herewith a copy of a self explanatory D.O. letter No.332619/338367/LS/2019 dated 01.02.2021 received from Department of Legal Affairs, Ministry of Law & Justice regarding the above subject.

2. It is requested that the details of such disputes which fall within the ambit and scope of the mechanism for being resolved through AMRD, may be furnished to this Department at the earliest.

Encl.: As above

Signature Not Verified  
Digitally signed by SHALINI  
JUNEJA  
Date: 2021.02.09 14:30:57 IST

(Shalini Juneja)  
Under Secretary to the Government of India  
Tel.No.011-23711946

To:-

1. Heads of all Organisations under DoWR, RD & GR.
2. All Division/Branch Heads and Sections of DoWR, RD & GR.





सचिव  
विधि और न्याय मंत्रालय  
भारत सरकार  
SECRETARY  
DEPARTMENT OF LEGAL AFFAIRS  
MINISTRY OF LAW & JUSTICE  
GOVERNMENT OF INDIA

No.332619/338367/LS/2019

Dated : 01<sup>st</sup> February, 2021

Dear Sir

As you are already aware, the Department of Legal Affairs has issued O.M. dated 31.03.2020, circulating the guidelines for Administrative Mechanism for Resolution of Disputes (AMRD) (copy enclosed). The Mechanism applies to dispute(s) other than those related to taxation, between Central Government Ministries/Departments *inter se* and between Central Government Ministries/Departments and other Ministries/Departments/Organisation(s)/ Subordinate/ Attached Offices/Autonomous and Statutory Bodies, etc., under their administrative supervision/control.

2. The Organisation(s)/Subordinate/Attached Offices/Autonomous and Statutory Bodies, etc., under the administrative supervision/control of the Ministries/Departments need to be sensitized to invoke the AMRD mechanism to resolve the disputes other than taxation to reduce the burden of cases on courts as well as to make an effort to amicably settle the cases.

3. I shall be grateful, if the Ministries/Departments forward the details of such disputes which fall within the ambit and scope of the mechanism for being resolved through AMRD and initiate necessary action for invoking the same.

With warm regards,

Yours sincerely,

(Anoop Kumar Mendiratta)

To

All Secretaries to Govt. of India

Copy to :

1. Cabinet Secretary, Cabinet Secretariat, Rashtrapati Bhawan, New Delhi
2. Ld. Attorney General for India
3. Ld. Solicitor General of India
4. Law Officers/Asstt. Solicitors General, Ministry of Law & Justice, Govt. of India
5. PS to Hon'ble ML&J.

(Anoop Kumar Mendiratta)

No. 334774/DoLA/AMRD/2019

Government of India  
Ministry of Law & Justice  
Department of Legal Affairs

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Shastri Bhawan,  
Rajendra Prasad Road, New Delhi-110001.  
Dated the 31<sup>st</sup> March, 2020

**OFFICE MEMORANDUM**

**Subject: Settlement of disputes other than taxation between Government Ministries / Departments *inter se* and between Government Ministries / Departments and other Ministries / Departments / Organisation(s) – Administrative Mechanism for Resolution of Disputes (AMRD).**

Instructions have been issued to Ministries / Departments of the Governments of India, in the past to avoid inter-departmental litigations in any Court of law, including by all CPSEs / Boards / Authorities, etc., under their Administrative control and to resolve the same amicably or through Arbitration.

2. In order to provide for an institutionalized mechanism for resolution of such disputes, Secretary, Department of Legal Affairs has *vide* DO letter No. 332619/338367/LS/2019 dt. 28<sup>th</sup> February, 2020 (copy enclosed) advised all Secretaries to the Government of India that the existing Administrative Mechanism for Resolution of Commercial Disputes (AMRCD), currently applicable to commercial disputes between CPSEs *inter se* and also between CPSEs and Government Departments / Organisations, shall stand extended for resolution of disputes other than taxation, between Ministries / Departments *inter se* and between Ministries / Departments and other Government Ministries / Departments / Subordinate / Attached offices / Autonomous and Statutory Bodies under their administrative supervision/control. Details of the new mechanism, namely, Administrative Mechanism for Resolution of Disputes (AMRD), are hereby outlined for guidance.

**3. Applicability**

AMRD shall apply to any/all dispute(s), other than those related to taxation, between Central Government Ministries / Departments *inter se* and between Central Government Ministries / Departments and other Ministries /



683952/2021/E-IV Section Departments / Organisation(s) / Subordinate / Attached Offices / Autonomous and Statutory Bodies, etc., under their administrative supervision / control.

#### 4. Structure

- (i) Disputes, other than taxation, shall be referred at the First level (tier), to a Committee comprising of Secretaries of the Administrative Ministries / Departments to which the disputing Parties belong and Secretary, D/o Legal Affairs;
- (ii) The Joint Secretaries (JSs) / Financial Advisors (FAs) (for commercial disputes) of the two concerned Administrative Ministries / Departments may represent the issues, related to the dispute in question, before the Committee.
- (iii) In case the two disputing parties belong to the same Ministry / Department, the above Committee may comprise of the Secretary of the administrative Ministry / Department concerned and Secretary, D/o Legal Affairs. Secretary, Department of Public Enterprises may be invited in case the dispute pertains to a CPSE.
- (iv) The resolution of such disputes shall be by unanimous decision of the Committee.
- (v) In case the dispute remains unresolved after consideration by the Committee, it will be referred at the Second level (tier), to the Cabinet Secretary, whose decision will be final and binding on all concerned.

#### 5. Procedure

- (i) At the First level (tier), the claiming party (Claimant) may be represented, before the Committee, by the JS / FA of the administrative Ministry / Department. The Secretary of administrative Ministry / Department of claiming party will inform in writing the details of the dispute, to the Secretary of administrative Ministry / Department of responding party (Respondent) and Secretary, D/o Legal Affairs and request for convening a meeting. Thereafter meetings may be held to examine the facts and resolve the dispute on merit. The JSs / FAs of the concerned administrative Ministries / Departments will represent the issues, related to the dispute in question, before the above Committee. After the Committee arrives at a decision, it shall be signed by the members of the Committee. A copy of the decision will be communicated by the Secretary of the administrative Ministry / Department of the claiming party to members of the Committee and to each party to the dispute for implementation.

(ii) The Committee of Secretaries at the First level (tier) shall finalise its decision within 3 months after having received the reference/notice in writing regarding the dispute from the concerned aggrieved party.

6. **Appeal**

Any party aggrieved with the decision of the Committee at the First level (tier) may prefer an appeal before the Cabinet Secretary at the Second level (tier) within 15 days from the date of receipt of decision of the Committee at the First level, whose decision will be final and binding on all concerned.

7. All administrative Ministries / Departments are requested to bring these guidelines to the notice of all Authorities / Boards / Subordinate / Attached Offices / Autonomous and Statutory Bodies, etc., under their administrative supervision/control for strict compliance.

8. This issues with the approval of the Competent Authority.

(DR. Rajiv Mani)

Joint Secretary & Legal Adviser

Tel. 23384836

Encl. : Copy of the DO letter No. 332619/338367/LS/2019 dated 28/02/2020 issued by Sh. Anoop Kumar Mendiratta, Secretary, Department of Legal Affairs, Ministry of Law & Justice.

To,

Secretary of all Ministries / Departments of the Government of India.

**Copy forwarded for kind information to:**

- (i) The Prime Minister's Office, South Block, New Delhi.
- (ii) The Cabinet Secretariat, Rashtrapati Bhawan, New Delhi.
- (iii) PS to the Hon'ble Minister of Law & Justice, Shastri Bhawan, New Delhi.
- (iv) Secretary D/o Legal Affairs, Shastri Bhawan, New Delhi.
- (v) Addl. Secretary(Judicial), D/o Legal Affairs, Shastri Bhawan, New Delhi.

(DR. Rajiv Mani)

Joint Secretary & Legal Adviser

Tel. 23384836



683952/2021/E-IV Section

अनूप कुमार मेंदीरत्ता

Anoop Kumar Mendiratta



सत्यमेव जयते

 सचिव  
 विधि और न्याय मंत्रालय  
 भारत सरकार

 SECRETARY  
 DEPARTMENT OF LEGAL AFFAIRS  
 MINISTRY OF LAW & JUSTICE  
 GOVERNMENT OF INDIA

No. 332619/338367/LS/2019

Dated : 28<sup>th</sup> February, 2020

Dear Secretary,

In a meeting of Committee of Secretaries (CoS) chaired by Cabinet Secretary on 23.01.2020, the issues relating to instruction to all Government Ministries/Departments for the effective implementation of the existing 'Administrative Mechanism for Resolution of CPSEs Disputes' (AMRCD) and extension of its applicability to all the Government Departments/Ministries and CPSEs for resolution of disputes, other than taxation disputes were discussed. The CoS *inter-alia* recommended that the existing AMRCD mechanism be made applicable to disputes other than those related to taxation, and extended to all Ministries/Departments.

2. It has been the constant efforts of this Department to reduce Government litigation in courts so that valuable court time is spent in resolving other pending cases. It has also been endeavour of the Government to see that disputes between various Ministries/Departments/CPSEs/Boards/Authorities under the administrative control of the various Ministries/Departments do not go to the Court. In that direction, presently AMRCD is functioning through the Department of Public Enterprises which deals with the dispute resolution of CPSEs but excludes its applicability to the disputes relating to Railways, Income Tax, Customs and Excise Departments. Similarly, in-house mechanism is working in some other Departments of the Government. Such mechanism includes Arbitration and other Alternate Dispute Resolutions Mechanism. In spite of these instructions, Departments/CPSEs still resort to court proceedings for settlement of disputes either with the Government Departments or with other PSUs.

3. To give effect to the decision taken at the CoS meeting as per minutes dated 27.01.2020, all the Ministries/Departments are requested to resolve the *inter-se* disputes of various Ministries/Departments/CPSEs other than those related to taxation, through existing AMRCD mechanism. The Ministries/Departments are also requested that when any such dispute is referred for resolution through AMRCD mechanism, a copy of the same shall also be endorsed to this Department and further updates shall be intimated immediately. Ministries/Departments shall accordingly issue necessary instructions in this regard, to all CPSEs/Boards/Authorities under their administrative control. Further, the timelines in the laid down process of AMRCD be also adhered to and complied with.

warm regards

Yours sincerely,

  
 (Anoop Kumar Mendiratta)

All Secretaries to the Government of India

Copy to :

Shri Rajiv Gauba, Cabinet Secretary, Rashtrapati Bhawan, New Delhi.